

ALEX G. TSE (CABN 152348)
Acting United States Attorney

BARBARA J. VALLIERE (DCBN 439353)
Chief, Criminal Division

KATHERINE L. WAWRZYNIAK (CABN 252751)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
FAX: (415) 436-7234
katherine.wawrzyniak@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 17-0517 HSG
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
v.)	QUASHING WRIT OF HABEAS CORPUS AD
)	PROSEQUENDUM
KENZO MATEO TOKUDA,)	
)	
Defendant.)	

STIPULATION

1. On February 27, 2018, at the government's request, the Court issued a Writ of Habeas Corpus Ad Prosequendum for defendant, Kenzo Mateo Tokuda, who is in pretrial custody in San Mateo County. (ECF 16.) Before requesting the Writ, government counsel attempted to contact defense counsel about the appearance, but was unable to reach defense counsel due to his trial schedule. At the time the Court issued the Writ, the above-captioned matter was set for a status conference before the Hon. Haywood S. Gilliam, Jr. on March 12, 2018 at 2:00 p.m.

2. Since February 27, 2018, the parties have had an opportunity to confer about the case. Because defense counsel needs additional time to review discovery, research possible defenses, and meet with defendant, the parties filed a stipulation proposing to continue the status conference. (ECF

17.) As noted in the stipulation, the parties did not wish to writ defendant into federal custody unnecessarily. On March 6, 2018, the Court ordered that the matter be continued to April 23, 2018 at 2:00 p.m. (ECF 18.)

3. As defendant's presence is no longer required in the District Court on March 12, 2018, at 2:00 p.m., the parties respectfully request that the Court quash the Writ of Habeas Corpus Ad Prosequendum.

4. If defendant remains in state custody at the time of the next federal court appearance, the government will seek another Writ of Habeas Corpus ad Prosequendum from this Court.

IT IS SO STIPULATED.

DATED: March 6, 2018

ALEX G. TSE
Acting United States Attorney

/s/
KATHERINE L. WAWRZYNIAK
Assistant United States Attorney

DATED: March 6, 2018

/s/
EDWARD A. SMOCK
Counsel for Defendant Kenzo Mateo Tokuda

UNITED STATES OF AMERICA,)	NO. CR 17-0517 HSG
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Plaintiff,)	
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v.)	[PROPOSED] ORDER QUASHING WRIT OF
)	HABEAS CORPUS AD PROSEQUENDUM
KENZO MATEO TOKUDA,)	
)	
Defendant.)	
)	

IT IS SO ORDERED.

Kandis Westmore
HONORABLE KANDIS A. WESTMORE
United States District Judge